UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/643,514	08/19/2003	James Bracken	ER1-0001US	4508

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EXAMINER
CHAMPAGNE, LUNA

ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 May 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *33-37,39-44 and 77* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *33-37,39-44 and 77* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114.

Applicant's correspondence received on 5/26/09 is acknowledged. Claims 1-32, 38, 45-76 are cancelled. Claim 77 is new. Claims 33-37, 39-44 and 77 are presented for examination.

Claim Rejections - 35 USC § 101

1.   Claims 33-37, 39-44, and 77 are rejected as non-statutory subject matter, which is not patent eligible under 35 U.S.C. 101.

The Examiner notes that the system claims are directed to software, per se (e.g. an account reconciliation application ...), which does not fall within one of the four statutory classes of invention.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 33, 37, 40, 41, 43, 44, 77 are rejected under 35 U.S.C. 102(e) as being

unpatentable by Marcial et al (7,340,421 B1), in view of Princen (2005/0131780 A1).

4.   Re claims 33, 77, Marcial et al. disclose a hosting system for hosting one or more

clients, comprising: a source database to store source data pertaining to a financial

account, the source data exhibiting a source balance *(Business Entity Information*

Section - BEIS 90); an application database to store ledger data pertaining to the

financial account, the ledger data exhibiting a ledger balance (*Subsidiaries Information*

Section – SIS 94); and an account reconciliation application executing at the application

database to enable creation of reconciliation documents that associate the ledger data

and the source data pertaining to the financial account and define reconciliation items to

reconcile any differences between the source balance and the ledge balance (*Account*

reconciliation Activity Section - ARAS 96) (*see e.g. col. 5, lines 6-35).*

Marcial et al., do not explicitly disclose the account reconciliation application

enabling creation of reconciliation profiles that define how the financial account is to be

reconciled; the reconciliation documents being based in part on corresponding

reconciliation profiles, the reconciliation profiles being created by way of a profile

creation screen that enables input of information used to establish the reconciliation

profiles; wherein the reconciliation profiles define how the financial account is to be

reconciled by associating only a portion of the ledger data and the source data

pertaining to the financial account with a reconciliation profile

However, Princen discloses a system, the account reconciliation application enabling creation of reconciliation profiles that define how the financial account is to be reconciled; the reconciliation documents being based in part on corresponding reconciliation profiles, the reconciliation profiles being created by way of a profile creation screen that enables input of information used to establish the reconciliation profiles; wherein the reconciliation profiles define how the financial account is to be reconciled by associating only a portion of the ledger data and the source data pertaining to the financial account with a reconciliation profile *(see e.g. paragraph 0023, 0027, 0040 – during the review of an invoice, it is possible for a user* <u>*to define a new reconciliation rule*</u> *based on the assignation he has performed, and to introduce this rule into the computer system so that* <u>*said rule will then be applied by the system to similar cases concerning next invoices.*</u> It is understood that the rule defines how to reconcile the next invoice. The invoice being associated with a portion of the ledger data and the source data.

Therefore, it would have been obvious to a person of ordinary skill in the art, at the time of the invention to modify the combination of Marcial et al., and include the steps cited above, as taught by Princen, which will result in minimizing errors while reconciling account data, providing an efficient and consistent way of balancing accounts, and therefore minimizing errors.

Re claim 37, Marcial et al. disclose a hosting system wherein the application database stores multiple ledger data from multiple different ledgers *(see e.g. col. 3, lines 30-32).*

Re claim 40, Marcial et al. disclose a hosting system wherein the account reconciliation application comprises a collection of server pages to generate web pages used in the creation of the reconciliation documents and a collection of object classes to facilitate reconciliation and review of the reconciliation documents (*see e.g. col. 7, lines 24-38*).

Re claim 41, Marcial et al. disclose a hosting system, further comprising one or more web servers to serve the web pages to remote clients (*see e.g. col. 4, lines 29-32*).

Re claim 43, Marcial et al. disclose a hosting system wherein the reconciliation documents can exhibit financial amounts in different currencies (*see e.g. col. 8, lines 5-8*).

Re claim 44, Marcial et al. disclose a hosting system, further comprising a reporting database system to generate reports pertaining to account reconciliation (*see e.g. col. 5, lines 1-5*).

5.   Claims 34, 35, 36, 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marcial et al (7,340,421 B1), in view of Princen (2005/0131780 A1), in further view of Bellinger et al. (6,023,705).

6.   Re claims 34, 35, Marcial et al., in view of Princen, do not explicitly disclose a hosting system wherein the source database comprises an image repository to store

images of source documents; wherein the source database comprises a directory to track identity and location of hardcopies of source documents.

However, Bellinger et al. disclose a hosting system wherein the source database comprises an image repository to store images of source documents *(see e.g. col. 12, lines 61-63 – The check data and images can be stored in files on DASD for subsequent transmission to a commercial customer);* wherein the source database comprises a directory to track identity and location of hardcopies of source documents *(see e.g. col. 21, lines 45-47 – The Media Recreate backup Program 410 available from Check Solutions keeps track of the location of the files copied to a specific tape volume).*

Therefore, it would have been obvious to a person of ordinary skill in the art, at the time of the invention to modify the combination of Marcial et al., in view of Princen, and include the steps cited above, as taught by Bellinger et al., in order to keep better track of documents for future account reconciliation and dispute resolution purposes

Re claims 36, 39, Marcial et al., in view of Princen, do not explicitly disclose a hosting system, wherein the application database stores the reconciliation documents; wherein the application database stores the reconciliation profiles.

However, Bellinger et al. disclose a hosting system, wherein the application database stores the reconciliation documents; wherein the application database stores the reconciliation profiles (see e.g. col. 8, lines 62-65; col. 9, lines 1-10).

Therefore, it would have been obvious to a person of ordinary skill in the art, at the time

of the invention to modify the combination of Marcial et al., and include the steps cited

above, as taught by Bellinger et al., in order to provide each partner/subsidiary with the

most current records.

7.   Claim 42 is rejected under 35 U.S.C. 103(a) as being unpatentable over Marcial

et al (7,340,421 B1), in view of Princen (2005/0131780 A1), in further view of Ashcroft et

al. (7,346,667 B2).

8.   Re claim 42, Marcial et al. do not explicitly disclose a hosting system wherein the

web pages present content written in different languages.

However, Ashcroft et al. disclose a hosting system wherein the web pages present

content written in different languages (see e.g. col. 10, lines 21 -36).

Therefore, it would have been obvious to a person of ordinary skill in the art, at the time

of the invention to modify the combination of Marcial et al., Princen, and include the

steps cited above, as taught by Ashcroft et al., in order to broaden the system.

Response to Arguments

9.   Applicant's arguments with respect to claims 33-37, 39-44 have been considered

but are moot in view of the new ground of rejection.

As specified in the rejection, Marcial et al. disclose an Account Reconciliation Activity

Sections which stores information that helps reconcile accounts (see e.g. col. 5, lines

26-30).

The limitation in claim 77 is specifically anticipated by Princen, in which a reconciliation

profile being created in order to define how to process the next invoice.

The prior arts cited in the rejection anticipate Applicant's claimed limitations.

Conclusion

10.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to LUNA CHAMPAGNE whose telephone number is

(571)272-7177. The examiner can normally be reached on Monday - Friday 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Florian Zeender can be reached on (571) 272-6790. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Luna Champagne/
Examiner, Art Unit 3627

August 6, 2009

/F. Ryan Zeender/
Supervisory Patent Examiner, Art Unit 3627